

AMENDED IN SENATE JUNE 2, 2014

AMENDED IN ASSEMBLY APRIL 22, 2014

AMENDED IN ASSEMBLY MARCH 20, 2014

AMENDED IN ASSEMBLY MARCH 3, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 1503**

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**Introduced by Assembly Member Beth Gaines**  
**(Coauthors: Assembly Members Achadjian and Cooley)**

January 13, 2014

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An act to add Section 14672.54 to the Government Code, relating to state government.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1503, as amended, Beth Gaines. Department of General Services.

Existing law authorizes the Department of General Services, with the consent of the Department of Corrections and Rehabilitation, to lease a parcel of unimproved real property within the grounds of the California State Prison at Folsom for a water reservoir, as specified.

This bill would require the Department of General Services, with the consent of the Department of Corrections and Rehabilitation, to lease vacant real property on the grounds of California State Prison at Folsom to the Old Guard Foundation, ~~Inc.~~ *Inc.*, or a similar and related nonprofit entity, for the construction and operation of a peace officers memorial and museum facility. ~~This~~ *The* bill would ~~require~~ *require, among other things,* that the lease, ~~among other things,~~ *lease* not exceed a 50-year term. ~~This~~ *The* bill would provide that the construction and operation

of the memorial and museum facility by the lessee pursuant to the lease are solely the responsibility of the lessee.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 14672.54 is added to the Government  
2 Code, to read:

3 14672.54. (a) Notwithstanding Section 14670, the Department  
4 of General Services shall lease upon terms and conditions in the  
5 best interest of the state vacant real property on the grounds of  
6 California State Prison at Folsom to be determined and consented  
7 to by the Department of Corrections and Rehabilitation for the  
8 construction and operation of a peace officers memorial and  
9 museum facility. The lessee shall be the Old Guard Foundation,  
10 Inc., a nonprofit corporation registered with the Secretary of State,  
11 or a similar and related nonprofit entity formed specifically for the  
12 implementation of the construction and operation of a peace  
13 officers memorial and museum facility at the prison. The peace  
14 officers memorial and museum facility shall be operated for the  
15 benefit of the general public and members of the lessee.

16 (b) The Department of General Services shall lease the property  
17 described in subdivision (a) for a term not to exceed 50 years and  
18 ~~for the consideration of an initial monthly rate of twenty-two cents~~  
19 ~~(\$0.22) per square foot of the museum facility.~~ years.

20 (c) The operation of the museum facility described in  
21 subdivision (a) shall include, but is not limited to, museums,  
22 conference rooms, classrooms, exhibits, workshops for artifact  
23 preservation and repair, secure storage, parking, a gift shop, and  
24 a cafeteria, snack bar, or dining area.

25 (d) The Department of General Services shall lease the property  
26 described in subdivision (a) in “as is” condition. The lease shall  
27 provide that the lessee shall be fully responsible for the  
28 maintenance and operation of the memorial and museum facility  
29 in a manner that does not conflict with the operation of adjacent  
30 correctional facilities or become a public nuisance to the  
31 community. The state shall not have any liability for any  
32 improvement, construction, operation, or maintenance of the  
33 memorial or museum facilities.

1 (e) The lease shall require the lessee to initiate construction of  
2 the memorial and museum facility within 48 months of the  
3 beginning of the lease term and have substantially completed  
4 construction within 72 months of the beginning of the lease term.  
5 The Department of General Services, with the approval of the  
6 Department of Corrections and Rehabilitation, shall provide any  
7 utility easements required by a public utility for construction of  
8 the memorial and museum facility by the lessee under terms and  
9 conditions in the best interest of the state. Utilities connections  
10 constructed by the lessee to the memorial and museum facility  
11 shall be separate from existing utilities used by the state and  
12 installed at the expense of the lessee.

13 (f) The lease shall require that if at any time during the term of  
14 the lease the lessee determines that the property is no longer needed  
15 for a memorial or museum facility or if the Department of General  
16 Services determines that the lessee substantially abandoned the  
17 leased property, the leased property and all improvements to the  
18 leased property shall revert to the state. The lease shall provide  
19 that, at the sole discretion of the Department of General Services,  
20 the lessee shall demolish and remove all improvements and restore  
21 the premises to the preleased condition at the lessee's expense,  
22 and if the lessee fails to restore the leased property as directed by  
23 the Department of General Services, the state may do so and all  
24 costs of the demolition and restoration shall be paid by lessee.

25 (g) The construction and operation of the memorial and museum  
26 facility pursuant to the lease authorized by this section are solely  
27 the responsibility of the lessee and shall not be considered public  
28 works.

29 (h) The lease shall require the lessee to pay all administrative  
30 costs incurred by the Department of General Services associated  
31 with the development and management of the lease and any  
32 required easements.

33 (i) The lease authorized by this section shall be subject to  
34 periodic review every five years by the director who shall receive  
35 a report from the lessee and shall review that report to determine  
36 whether the purposes of the lease are being carried out.

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